



Roll Call Number

22-0883

Agenda Item Number

34

Date June 13, 2022

**RESOLUTION SETTING HEARING ON REQUEST FROM BOS INVESTMENTS, LLC (OWNER) AND PPDSM, LLC (OWNER) REGARDING PROPERTY IN THE VICINITY OF 6501 HICKMAN ROAD AND 2404 WESTOVER BOULEVARD TO AMEND PLANDSM TO REVISE THE FUTURE LAND USE DESIGNATION FROM NEIGHBORHOOD MIXED USE TO COMMUNITY MIXED USE**

**WHEREAS**, the City Plan and Zoning Commission has advised that at a public hearing held on May 19, 2022, its members voted 11-0 with one abstention in support of a motion to recommend **APPROVAL** of a request from BOS Investments, LLC (Owner) represented by Jim Sinclair (Officer) and PPDSM, LLC (Owner) represented by Adam Sieren (Officer), to amend the PlanDSM: Creating Our Tomorrow future land use designation from Neighborhood Mixed Use to Community Mixed Use to allow development of the property with a density of up to 17 dwelling units per acre; and

**WHEREAS**, the Properties are legally described as follows:

2404 Westover BLVD – Legal Description

THE SOUTH 102 FEET OF THE EAST 142 FEET OF LOT 11 AND THE NORTH 48 FEET OF THE EAST 142 FEET OF LOT 12 IN WESTOVER, AN OFFICIAL PLAT, NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, EXCEPT THAT PART CONVEYED TO THE STATE OF IOWA BY WARRANTY DEED RECORDED IN BOOK 13788, PAGE 268

6501 Hickman Road – Legal Description

THE EAST 251.25 FEET OF THE WEST 822.25 FEET OF LOT 12 AND THE EAST 251.25 FEET OF THE WEST 822.25 FEET OF THE SOUTH 102 FEET OF LOT 11 IN WESTOVER, AN OFFICIAL PLAT, NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA, EXCEPT THAT PART CONVEYED TO THE STATE OF IOWA BY WARRANTY DEED IN BOOK 4146 PAGE 139, SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD

**NOW, THEREFORE, BE IT RESOLVED**, by the City Council of the City of Des Moines, Iowa, as follows:

1. That the attached communication from the Plan and Zoning Commission is hereby received and filed.
2. That the meeting of the City Council at which the proposed amendment to the comprehensive



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plan future land use designation is to be considered, and at which time the City Council will hear both those who oppose and those who favor the proposal, shall be held at 5:00 p.m. on June 27, 2022, in the Council Chambers, City Hall, 400 Robert D. Ray, Drive, Des Moines.

- 3. That the City Clerk is hereby authorized and directed to cause notice of said proposal in the accompanying form to be given by publication once, not less than seven (7) days and not more than twenty (20) days before the date of hearing, all as specified in Section 362.3 and Section 414.4 of the Iowa Code.

Moved by Gatto to adopt. Second by Voss

APPROVED AS TO FORM:

/s/ Gary D. Goudelock Jr.
Gary D. Goudelock Jr.
Assistant City Attorney

Table with 5 columns: COUNCIL ACTION, YEAS, NAYS, PASS, ABSENT. Rows include COWNIE, BOESEN, GATTO, MANDELBAUM, SHUEMAKER, VOSS, WESTERGAARD, and TOTAL.

CERTIFICATE

I, LAURA BAUMGARTNER, Acting City Clerk of said City hereby certify that at a meeting of the City Council of said City of Des Moines, held on the above date, among other proceedings the above was adopted.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year first above written.

J. M. Frankin Cownie Mayor

Laura Baumgartner Acting City Clerk